

# Agenda

**REVISED**



## Tempe City Council

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Harry E. Mitchell Government Center

Municipal Building

Council Chambers

31 East Fifth Street

7:30 P.M.

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

**July 22, 2004**

1. **INVOCATION – Councilmember Mitchell**
2. **PLEDGE OF ALLEGIANCE**
3. **MINUTES – Councilmember Arredondo**
  - A. Approval of Council Meeting Minutes
    1. Council Executive Session – June 3, 2004
    2. Council Issue Review Session – June 3 & 10, 2004 [20040722clrkck03.pdf](#)  
[20040722clrkck02.pdf](#)
    3. Formal Council Meeting – June 10, 2004 [20040722clrkck01.pdf](#)
  - B. Acceptance of Board & Commission Meeting Minutes
    4. Board of Adjustment – May 26, 2004 [20040722boa01.pdf](#)
    5. Commission on Disability Concerns Committee on Architectural Accessibility – March 2, 2004 [20040722cdc01.pdf](#)
    6. Design Review Board – April 7, May 5 & 19 and June 2 & 16, 2004  
[20040722drb04.pdf](#) [20040722drb01.pdf](#) [20040722drb02.pdf](#) [20040722drb03.pdf](#)  
[20040722drb05.pdf](#)
    7. Enhanced Services Commission – April 21 & May 19, 2004 [20040722esc01.pdf](#)  
[20040722esc02.pdf](#)
    8. Hearing Officer – June 15 & July 6, 2004 [20040722ho01.pdf](#) [20040722ho02.pdf](#)
    9. Historic Preservation Commission – June 3, 2004 [20040722hpc01.pdf](#)
    10. Human Relations Commission – May 11, 2004 [20040722hrc01.pdf](#)
    11. Merit System Board – June 8, 2004 [20040722msb01.pdf](#)
    12. Planning and Zoning Commission – June 24, September 9, & October 14, 2003, March 6, April 13, April 27, & May 11, 2004 [20040722pz01.pdf](#) [20040722pz02.pdf](#)  
[20040722pz03.pdf](#) [20040722pz04.pdf](#) [20040722pz05.pdf](#) [20040722pz06.pdf](#)  
[20040722pz07.pdf](#)
    13. Rio Salado Advisory Commission – April 27, 2004 [20040722rsac01.pdf](#)
    14. Special Events Task Force – June 22 & July 6, 2004 [20040722setf01.pdf](#)

- [20040722setf02.pdf](#)
15. Sponsorship Review Committee – June 25, 2004 [20040722src01.pdf](#)
  16. Transportation Commission – Accountability/Governance Committee –  
February 18, April 6 & May 4, 2004 [20040722tc01.pdf](#) [20040722tc02.pdf](#)  
[20040722tc03.pdf](#)
  17. Transportation Commission – Planning/Project Review Committee –  
February 23 & March 30, 2004 [20040722tc04.pdf](#) [20040722tc05.pdf](#)
  18. Transportation Commission – Public Involvement/Marketing Committee –  
April 5, 2004 [20040722tc08.pdf](#)
  19. Transportation Commission – April 13 & June 7, 2004 [20040722tc06.pdf](#)  
[20040722tc07.pdf](#)

#### 4. REPORTS AND ANNOUNCEMENTS

- A. Mayor's Announcements
  - Election of Vice Mayor
- B. Manager's Announcements

#### 5. CONSENT AGENDA

All items listed on the Consent Agenda will be considered as a group and will be enacted with one motion by the City Council. None of these items will be discussed unless a Councilmember removes an item or a citizen requests that a public hearing item be removed for separate consideration. Public hearing items are designated by an asterisk (\*). Items scheduled for a Introduction/First Public Hearing will be heard, but will not be voted upon, at this meeting.

**'q-j'** indicates items that are quasi-judicial. The City Council sits as a quasi-judicial body when hearing variances. When sitting as a quasi-judicial body, the City Council must conduct itself as a court, not as a legislative body. This means that any materials or conversations concerning the variance can only be presented to the City Council at the scheduled public hearing. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited.

##### A. Miscellaneous

20. Request to set an Executive Session for the City Council meeting of August 5, 2004, if needed, in the Harry E. Mitchell Government Center, Municipal Building, 3<sup>rd</sup> Floor Conference Room, 31 E. 5<sup>th</sup> Street.

**COMMENTS:** Agenda for Executive Session will be posted at least 24 hours prior to such meeting.

21. Request approval of the Report of Claims Paid to be Filed for Audit for the week(s) of May 16, 23 & 30, and June 6, 13, & 20, 2004.

**COMMENTS:** A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.

22. Request approval of the 2004-2005 Arts Grants.

**COMMENTS:** 18 Arts Grants totaling \$126,656.

**DOCUMENT NAME:** [20040722csju01.pdf](#) **COMMUNITY SERVICE ADM (0701-01)**

23. Request approval for City sponsorship of Community Special Events for fiscal year 2004/2005 as recommended by the Sponsorship Review Committee.

**COMMENTS:** Total recommended allocations are \$56,610 in both cash and in kind sponsorship.

**DOCUMENT NAME:** [20040722csmr01.pdf](#) **COMMUNITY SERVICE ADM (0701-01)**

24. Request approval of school crossing agreement for Wood Elementary School.

**DOCUMENT NAME:** [20040722PWJW01.pdf](#) **SCHOOL-PEDESTRIAN CROSSINGS (0809-04)**

25. Request certification of 4<sup>th</sup> quarter FY 2003/04 Municipal Court Collections.

**COMMENTS:** In accordance with Arizona Revised Statutes § 12-116.04, as added by Laws 2003, Chapter 263.

**DOCUMENT NAME:** [20040722fstm01.pdf](#) **COURT ADMINISTRATION (0501-02)**

26. Request approval of 2004/05 Property, Liability and Workers' Compensation Premium.

**DOCUMENT NAME:** [20040722fsjh01.pdf](#) **LIABILITY INSURANCE (0510-01)**

27. Request approval to use State of Arizona Contract #AD-000171 with Corporate Job Bank, Kelly Services, Staffmark Pacific, LLC, and Randstad NA for temporary employment services.

**COMMENTS:** Total cost of this contract shall not exceed \$525,000 during the initial contract period.

**DOCUMENT NAME:** [20040722fsdl03.pdf](#) **PURCHASES (1004-01)**

28. Request approval to use State of Arizona Contract #AD-040004-008 with I-10 International Trucks for a solid waste container haul truck.

**COMMENTS:** Total cost of this contract shall not exceed \$58,508 during the initial contract period.

**DOCUMENT NAME:** [20040722fsdl05.pdf](#) **PURCHASES (1004-01)**

29. Request approval to use State of Arizona Contract #AD-000187 with Calence for internet anti-spam and virus filtering hardware.

**COMMENTS:** Total cost of this contract shall not exceed \$90,000.

**DOCUMENT NAME:** [20040722fst09.pdf](#) **PURCHASES (1004-01)**

30. Request approval to increase by \$20,000 the contract award with Marsh for risk management consultant services.

**COMMENTS:** Increase is from \$32,000 to \$52,500.

**DOCUMENT NAME:** [20040722fst10.pdf](#) **PURCHASES (1004-01) #T00-055-01**

31. Request approval to use a one-year Maricopa County Library District contract (#01120-RFP) for electronic information resources.

**COMMENTS:** Total cost of this contract shall not exceed \$75,000 during the initial contract period.

**DOCUMENT NAME:** [20040722fsdl14.pdf](#) **PURCHASES (1004-01)**

32. Request approval of a Second Amended Horizontal Regime (Condominium Map) for Pointe Office Suites Condos located at 2221 West Baseline Road.

**COMMENTS:** (Shea Commercial, property owner) #SHR-2004.48 consisting of 11 office units on 3.02 net acres.

**DOCUMENT NAME:** [20040722dsd2k02.pdf](#) **PLANNED DEVELOPMENT (0406)**

- \*33. This is a public hearing for the approval of a Series 12 Restaurant Liquor License for Dos Palmas, 1805 E. Elliot Road, #104.

**COMMENTS:** Benito Campos, Agent

**DOCUMENT NAME:** [20040722LIQ1.pdf](#) **LIQ LIC (0210-02)**

- \*34. This is a public hearing for the approval of a Series 12 Restaurant Liquor License for Cassc Eateries, LLC, dba Moe's Southwest Grill, 325 W. Elliot Road, #103.

**COMMENTS:** Shane Countermarsh, Agent

**DOCUMENT NAME:** [20040722LIQ2.pdf](#) **LIQ LIC (0210-02)**

**B. Award of Bids**

35. Request to award a construction contract to Southwest Microsurfacing, LLC, for Major Street Renovation – Microseal & Fogseal 2003-2004.

**COMMENTS:** Total cost of this contract shall not exceed \$1,161,402.

**DOCUMENT NAME:** [20040722PWMG01.pdf](#) **MAJOR STREET RENOVATION (0809-05) PROJECT NO. 5401641**

36. Request approval of a professional services contract with CSA Engineering for design of nine potable water metering stations for the transmission/distribution system.

**COMMENTS:** Total cost of this contract shall not exceed \$54,462.

**DOCUMENT NAME:** [20040722PWTG02.pdf](#) **WATER MANAGEMENT ADMINISTRATION (8011-13) PROJECT NO. 3201551**

37. Request approval of a professional services contract with Black & Veatch for a feasibility study to convert the Tempe Coca-Cola Bottling plant from treated surface water to

treated groundwater.

**COMMENTS:** Total cost of this contract shall not exceed \$29,945.

**DOCUMENT NAME:** [20040722PWTG03.pdf](#) **WATER MANAGEMENT  
ADMINISTRATION (8011-13) PROJECT NO. 3200014**

38. Request to award a Construction Manager at Risk Services contract to Hunter Contracting Co. for a guaranteed maximum price of \$64,865, and to approve a \$5,000 contingency allowance for change orders for the Martinez Water Treatment Plant Standby Fuel Storage System.

**DOCUMENT NAME:** [20040722PWMG04.pdf](#) **JOHNNY G. MARTINEZ WATER  
TREATMENT PLANT (0902-14) PROJECT NO. 3201095**

39. Request to award a two-year contract with three (3) one-year renewal options to Bound Tree Medical, LLC, for emergency medical supplies.

**COMMENTS:** Total cost for this contract shall not exceed \$264,000 during the initial contract period.

**DOCUMENT NAME:** [20040722fsdl01.pdf](#) **PURCHASES (1004-01 RFP #04-114**

40. Request to award a one-year limited source contract to the Phoenix Fire Department for firefighter medical and physical exams.

**COMMENTS:** Total cost for this contract shall not exceed \$83,570 during the contract period.

**DOCUMENT NAME:** [20040722fsdl02.pdf](#) **PURCHASES (1004-01) #05-002**

41. Request to award a one-year contract with two (2) one-year renewal options to Wilbur Ellis Company, Helena Chemical Company, and Target Specialty Products for pesticides and chemicals.

**COMMENTS:** Total cost for this contract shall not exceed \$43,039 during the initial contract period.

**DOCUMENT NAME:** [20040722fsdl04.pdf](#) **PURCHASES (1004-01) IFB #04-096**

42. Request approval of the selection and exclusive negotiations with Northwest Tempe Neighborhoods, CDC, for the development of 1105 S. McKemy Street.

**DOCUMENT NAME:** [20040722fsdl06.pdf](#) **PURCHASES (1004-01) RFP #04-064**

43. Request to award a one-year contract to Datatek Consulting Group for an Information Technology Consultant.

**COMMENTS:** Total cost for this contract shall not exceed \$65,000 during the initial contract period.

**DOCUMENT NAME:** [20040722fst07.pdf](#) **PURCHASES (1004-01)  
RFQ#03-052**

44. Request to award a one-year contract to H. L. Yoh Company, LLC, for an Information Technology Consultant.

**COMMENTS:** Total cost for this contract shall not exceed \$128,960 during the initial contract period.

**DOCUMENT NAME:** [20040722fst08.pdf](#) PURCHASES (1004-01) RFQ#03-052

45. Request to award a one-year, sole source contract to Public Safety Systems, Inc., for mobile data and field reporting software.

**COMMENTS:** Total cost for this contract shall not exceed \$223,125 during the contract period.

**DOCUMENT NAME:** [20040722fsdl11.pdf](#) PURCHASES (1004-01) #05-007

46. Request to award a one-year contract with two (2) one-year renewal options to Partners For Strategic Action, Inc., for a neighborhood planning consultant.

**COMMENTS:** Total cost for this contract shall not exceed \$93,738 during the initial contract period.

**DOCUMENT NAME:** [20040722fsdl12.pdf](#) PURCHASES (1004-01) RFP #04-092

47. Request to award a one-year contract with four (4) one-year renewal options to Anderson Security Agency, Ltd., for security guard services.

**COMMENTS:** Total cost for this contract shall not exceed \$250,000 during the initial contract period.

**DOCUMENT NAME:** [20040722fst13.pdf](#) PURCHASES (1004-01) RFP #04-133

48. **DELETED**

C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- \*49. This is the **introduction and first public hearing** for the review and approval of an ordinance authorizing the City to lease existing ATM sites from Bank One located at 915 South Rural Road. **The second public hearing is set for August 5, 2004.**

**DOCUMENT NAME:** [20040722dslc01.pdf](#) ATM LEASE TO BANK ONE (0903-51)  
Ordinance 2004.30

- \*50. This is the **introduction and first public hearing** for a zoning change from C-1 to I-1 and a site plan for an office/warehouse for Elliot Corporate Center at 675 West Elliot Road. **The second public hearing is set for August 5, 2004.**

**COMMENTS:** (Sun State Builders, property owner) **#ZON-2004.05** Ordinance 808.2004.05 for a zoning change from C-1, Neighborhood Commercial to I-1, Light Industrial, on 2.20 gross acres. **#SIP-2004.42** for a Site Plan consisting of 83,000 s.f. for

office/warehouse use on 1.73 net acres.

DOCUMENT NAME: [20040722dsd2k01.pdf](#) PLANNED DEVELOPMENT (0406)

- \*51. This is the **introduction and first public hearing** for the historic designation of the Selleh Residence located at 1104 South Mill Ave. **The second public hearing is set for August 5, 2004.**

COMMENTS: (Jean W. Selleh, property owner) #HPO-2004.46 for the designation of the Selleh Residence as an historic property, a single-family residential home. Per Chapter 14A "Historic Preservation" of the Tempe City Code, the application approved by the Historic Preservation Commission must also be approved by the Planning & Zoning Commission and City Council.

DOCUMENT NAME: [20040722dsrl04.pdf](#) PLANNED DEVELOPMENT (0406)

- \*52. This is the **introduction and first public hearing** for an ordinance authorizing the Mayor to execute agreements terminating the Express Scripts Improvement Lease and conveying the property back to the Kenneth H. Dart Family Trust. **The second public hearing is set for August 5, 2004.**

DOCUMENT NAME: [20040722casv01.pdf](#) EXPRESS SCRIPTS (0403-05-02)  
Ordinance No. 2004.31

- \*52a. This is the **introduction and first public hearing** to authorize the Mayor to execute a Special Warranty Deed conveying City Property to Hayden Ferry Lakeside, LLC. **The second public hearing is set for August 5, 2004.**

DOCUMENT NAME: [20040722casv02.pdf](#) RIO SALADO MASTER PLAN (0112-07-03) Ordinance No. 2004.32

D. Ordinances and Items for Second Hearing/Final Adoption

- \*53. This is the **second** public hearing for an ordinance authorizing the Design and Construction Agreement with Valley Metro Rail, Inc.

DOCUMENT NAME: [20040722pwjm01.pdf](#) TRANSPORTATION PLANNING (1101-01) ORDINANCE NO. 2004.28

- \*54. This is the **second** public hearing for an ordinance authorizing the Public Way Use Agreement with Valley Metro Rail, Inc.

DOCUMENT NAME: [20040722pwjm02.pdf](#) TRANSPORTATION PLANNING (1101-01) ORDINANCE NO. 2004.29

E. Resolutions

55. Request approval of a resolution authorizing the transfer of the real property located at 2071 E. Minton Drive from Northwest Tempe Neighborhoods Community Development Corporation to the Community Land Trust of Tempe.

DOCUMENT NAME: [20040722dslc02.pdf](#) COMMUNITY DEVELOPMENT

**/REDEVELOPMENT ADMIN (0403-01) RESOLUTION NO. 2004.57**

56. Request approval of a resolution authorizing the application/acceptance of U.S. Department of Justice Local Law Enforcement Block Grant funds.

**DOCUMENT NAME:** [20040722pdkm01.pdf](#) **POLICE DEPARTMENT ADMINISTRATION (0606-02) RESOLUTION NO. 2004.72**

57. Request approval of a resolution authorizing the name change of Stadium Drive to Veterans Way between College Avenue and University Drive.

**DOCUMENT NAME:** [20040722PWTG05.pdf](#) **STREET RENAMING (0809-14) RESOLUTION NO. 2004.71**

58. Request approval of a resolution authorizing the Mayor to enter into a Parcel Agreement with Hayden Ferry Lakeside, LLC.

**COMMENTS:** Will allow buildings or structures to cross property lines and treat the individual parcels with multiple owners as one parcel and one building or structure for the purpose of the Building Code.

**DOCUMENT NAME:** [20040722dscm01.pdf](#) **RIO SALADO MASTER PLAN (0112-07-03) RESOLUTION NO. 2004.59**

**6. NON-CONSENT AGENDA**

**A. Miscellaneous**

**\*59. DELETED**

**7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS**

**8. PUBLIC APPEARANCES**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on the City Council agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on the agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes will not be allowed during formal meetings.

Members of the public attending City Council meetings shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.